

1022.06

Item # 66

ORDINANCE NO.

AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT 1422 PRESTON AVENUE FROM CERTAIN DEVELOPMENT REGULATIONS PRESCRIBED BY ORDINANCE NO. 20060309-058 FOR CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. This ordinance applies to the construction of a single-family residence located at 1422 Preston Avenue. The two story structure will have a floor area of 3,822 square feet.

PART 2. Applicant has filed a waiver application requesting that Council waive Part 4(C) of Ordinance No. 20060309-058 which limits a building permit to increase the size of a new structure on a lot where, before March 9, 2006, a structure has been or will be demolished or relocated, to the greater of the following:

- (1) 0.4 to 1 floor-to-area ratio;
- (2) 2,500 square feet; or
- (3) 20 percent more square feet than the existing or pre-existing structure.

PART 3. Council has considered the factors for granting waivers from development regulations prescribed by Ordinance No. 20060309-058. Council finds that such waivers are justified because:

- (A) the development limitation imposes undue hardship on the applicant; and
- (B) the development proposed by the applicant will not adversely affect the public health, safety, and welfare.

PART 4. A waiver is granted from Part 4(C) of Ordinance 20060309-058 to allow construction of a single-family residence located at 1422 Preston Avenue, for a total structure size not to exceed 3,822 square feet.

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PART 5. This ordinance takes effect on _____, 2006.

PASSED AND APPROVED

_____, 2006

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Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk